

OUR REMARKS

In order to structurally differentiate our claimed invention from the cited prior art Unsworth'080,

Original claims 1 and 2 are canceled. A new claim 10 is entered with claims 1 and 2 combined and the following text in bold and underlined added to the new claim 10.

“.....wherein the non-invasively stimulating comprises at least a set of non-invasive electrical stimulation **pulses and a set of permanent magnets.**”

Original claims 3 and 4 are canceled. A new claim 11 is entered with the original claims 3 and 4 combined with the following new text in bold and underlined added to the new claim 11.

“ wherein the stimulating comprises at least a pair of electrical stimulation **pulses and a pair of permanent magnets.**

The original claim 5 is currently amended with the following text in bold and underlined added into the currently amended claim 5.

“ 5. (currently amended) A method of moderating lower and upper back pain in a patient comprising the steps of:
mounting at least two electrodes **and at least two permanent magnets** with each electrode **and each magnet** onto each group of stimulation points surrounding K1 and FHA acupuncture points;
generating a stimulation signal; and
delivering the stimulation signal to the each at least one pair of electrode to **electrically and magnetically** stimulate the group of stimulation points surrounding K1 and FHA acupuncture points. “

Original claims 6 and 7 are canceled. A new claim 12 is entered with the original claims 6 and 7 combined with the following new text in bold and underlined added to the new claim 12

“wherein the mounting step comprises:
providing a multiple electrode **and permanent magnet** carrying

insole, housed in a shoe-like device, carrying the at least two electrodes **and at least two permanent magnets** and a circuit for generating the stimulation signal; and providing securing means for mounting the at least two electrodes **and at least two permanent magnets** on the said insole near the group of stimulation points surrounding K1 and FHA acupuncture points.

What is amended in both claims 8 and 9 is to change “ The method of claim 7,..... “ to “ The method of claim 12,..... “.

Please see Fig. 2, Fig. 3 and the first paragraph [0012] under “ Detailed Description of the Preferred Embodiment “ in the published patent application for the permanent magnet(s) being described and shown. This structure is unique to our invention and differs structurally from the prior art Unsworth’080. The permanent magnet(s) is indeed an important part of our invention and by incorporating this structure into our claims, it should make our claim invention patentably distinguished from the cited prior art.

As such, the applicant requests reconsideration of the referenced application and favorable action be issued.